

COMPLAINTS AGAINST DIVISION EMPLOYEES

Where written and signed complaints are submitting pertaining to division employees, the following process shall be followed. This policy does not supersede provincial legislation with regards to The Public Interest Disclosure Act: <https://web2.gov.mb.ca/laws/statutes/ccsm/p217e.php> or Turtle Mountain School Division policy and procedures in relation to Reporting Suspected Wrongdoing: <http://www.tmsd.mb.ca/policy/K/K-9.pdf>.

I. WORK SITE:

- a) If a supervisor receives a written and signed complaint against a division employee, they will notify the Superintendent/CEO. The supervisor will set up a meeting as soon as possible with the employee(s), the complainant, and the supervisor with the intent to investigate and resolve the complaint. The supervisor will write a report within 14 days specifying how the complaint was resolved, with copies forwarded to the complainant, the affected employee(s) and the Superintendent/CEO who will retain a copy at the Division Office. If a report is not completed in 14 days, an interim report will be submitted.
- b) If the complaint remains unresolved, it shall be forwarded to the Superintendent/CEO for resolution. They will determine a course of action to follow in order to properly investigate the complaint. This may involve further joint/individual meetings, and will result in a written report within 14 days, with copies to all affected, the Board of Trustees and, when appropriate, the employee's personnel file.
- c) If the written and signed complaint still remains unresolved, the matter shall be referred to the Board.

II. DIVISION LEVEL:

- a) When a written and signed complaint is made directly to the school board about any Division employee, the Board may refer the complaint to the appropriate supervisor as per Policy B – 3. If the complaint is a legal concern the Board will bring it to the attention of the Superintendent/CEO as well as the Board Chair. The Board Chair and the Superintendent/CEO will determine next steps.
- b) Some next steps might include:
 - Discussion at next regular meeting or special meeting of the Board.
 - The Board may direct the Superintendent/CEO to provide a summary of the complaint to the individual named. When directed, the Superintendent/CEO will investigate the complaint and provide the Board with a written report within 14 days. If the Board determines that further action is to be taken, a copy of the original complaint will be provided to the individual named after the complainant has been notified.
 - The individual named shall be given an opportunity to state their position, either orally or in writing, to the Board at the next regular/special Board meeting. The individual named shall have the right to have a representative present.

Cross Reference:

Amended Date: June 5, 2019

Policy Review Date: November 24, 2021

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III. PERSONNEL FILE:

If documentation is entered into a personnel file, the individual named will be provided with a copy and will have an opportunity to include a written response. If a complaint is determined to be unfounded, it will be removed from the employee's personnel file.

IV. COMMUNICATION:

The school board will share its policies dealing with concerns or written and signed complaints with its employees, parent advisory committees, and other individuals or groups as appropriate.